

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Senate Bill 356 be amended to read as follows:

- 1       Page 10, line 36, delete "viatical settlement contract, the subject of
- 2       which is a" and insert "**:**
- 3       **(A) policy; or**
- 4       **(B) viatical settlement contract, the subject of which is a**
- 5       **policy;"**.
- 6       Page 10, delete lines 37 through 41.
- 7       Page 10, line 42, before "where" insert "**that was obtained by**
- 8       **presenting false information concerning a fact material to the**
- 9       **policy or concealing, for the purpose of misleading another,**
- 10       **information concerning a fact material to the policy"**.
- 11       Page 10, line 42, delete "viator or the viator's agent" and insert
- 12       **"person"**.
- 13       Page 11, line 1, delete "policy." and insert "**policy, a viatical**
- 14       **settlement provider, or a viator."**.
- 15       Page 11, line 2, delete "Facilitating the change of state of residency
- 16       of a policy or" and insert "**Facilitating, directly or indirectly, a**
- 17       **change of the state of ownership of a policy or the state of residency**
- 18       **of"**.
- 19       Page 11, line 4, after "(6)" insert "**Facilitating, directly or**
- 20       **indirectly, the issuance of a policy that:**
- 21       **(1) covers an insured who is a resident of Indiana; and**
- 22       **(2) is owned by a policy owner in another state;**
- 23       **to avoid the provisions of this chapter.**
- 24       **(7)"**.
- 25       Page 11, line 6, delete "(5)." and insert "**(6)."'**
- 26       Page 13, between lines 37 and 38, begin a new paragraph and insert:
- 27       **"(b) The term includes an agreement under which an insured or**
- 28       **a viator or the designee of an insured or a viator receives or will**
- 29       **receive:**
- 30       **(1) in exchange for the designation or consent to assignment**
- 31       **or transfer for the ownership or beneficiary interest in a**

- 1           **policy; and**  
2           **(2) regardless of the date that the consideration is provided to**  
3           **the person or the transfer or assignment occurs;**  
4           **consideration."**  
5           Page 13, line 38, delete "(b)" and insert "(c)".  
6           Page 35, line 40, after "crime" and insert "**of fraud (IC 35-43-5)**".  
7           Page 37, line 15, after "contract" insert "**at any time before the**  
8           **application or issuance of a policy that is the subject of the viatical**  
9           **settlement contract, or"**.  
10          Page 37, line 16, after "policy" insert ",".  
            (Reference is to SB 356 as printed January 30, 2006.)

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Senator STEELE